

Supervisor Romaine's Proposed Nitrogen Protection Zone Presented at Town Board Public Hearing

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New legislation would enact strict standards for new construction

Farmingville, NY – At the April 21 Town Board Meeting, Supervisor Ed Romaine's proposed legislation to create Nitrogen Protection Zones in the Town of Brookhaven was discussed at a public hearing. After testimony by the Town's Chief Environmental Analyst Anthony Graves and a number of other regional environmental leaders, the Town Board voted to close the hearing and allow 30 days for written public comment.

The purpose of the law is to begin an incremental rollback of the discharge of nitrogen from sanitary waste into the ground. It enacts more stringent standards for sanitary systems installed on residential properties for the construction of a new dwelling or structure located within 500 feet of a body of water. It will require installation of an individual sanitary system/alternative denitrification system that discharges into the ground no more than eight milligrams of nitrogen per liter of effluent (8mg/L) on average as measured over twelve samples taken one per month for a year. This 8mg/L standard would become effective on January 1, 2017, contingent upon approval by the Suffolk County Department of Health Services (SCDHS) for alternative denitrification systems capable of achieving the 8 mg per liter of nitrogen or less.

The new law refers to the impact of Super Storm Sandy, which underscored the fragility of the region's water supply and wetlands. The Supervisor indicated how nitrogen contamination poses a threat to waterways, including:

- A 93% decline in the Great South Bay clam harvest as a result of recurring brown tides fed by nitrogen seepage from septic systems and cesspools.
- The collapse of the bay scallop industry was almost entirely due to nitrogen-caused algal blooms and over-harvested hard clams have failed to recover largely due to recurrent brown tides.
- The 60 mile long South Estuary Reserve was declared impaired by the NYDEC in 2008. Nitrogen from wastewater was cited as the reason for the designation.
- Excessive nitrogen has a direct effect on seagrass. It is estimated that 200,000 acres of seagrass in Long Island bays and harbors have been diminished by nearly 90% since 1939 with only 22,000 acres remaining.
- NYSDEC has concluded that cesspools, septic systems and sewage treatment plants cause eutrophication, resulting in lower oxygen levels and persistent algal blooms.

Division of Public Information * Office of the Supervisor

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